

REMARKS:

Applicants submit herewith a Substitute Sequence Listing in paper and computer-readable format. The Substitute Sequence Listing has been amended by introducing SEQ ID NO: 5. SEQ ID No: 5 represents the amino acid sequence of erythropoietin. The amino acid sequence of erythropoietin was well-established in the art. See, e.g., paragraph [05] of the present specification. In particular, U.S. Patent 4,703,008 (cited in the present application at paragraph [05], line 6; U.S. Patent No. 4,703,008 was attached as Exhibit A to Applicants' response of March 24, 2009) discloses the amino acid sequence of erythropoietin (see Figure 6 of U.S. Patent 4,703,008). U.S. Patent No. 4,703,008 is incorporated by reference (see paragraph [325] of the present specification as filed).

No new matter has been added by this amendment.

CONCLUSIONS

Applicants respectfully request that the foregoing amendments and remarks be made of record in the file history of the instant application.

In the event that any additional fee is required in connection with this filing, please charge Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: April 14, 2009

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

by Eileen Z. Farney 46.097